

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DAVID BENJAMIN LONG,

Case No. 6:18-cv-01798-SB

Petitioner,

**ORDER**

v.

MARION COUNTY CORRECTIONS,

Respondent.

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**BECKERMAN, United States Magistrate Judge.**

This Court GRANTS Petitioner's Motion to Substitute a Party (ECF No. 21). IT IS ORDERED that Attorney General Ellen Rosenblum is substituted for Sophie P. Polonsky and Jeff Wood as the Respondent in this proceeding. This action shall proceed in accordance with the following schedule:

- (a) **Electronic Service Authorized on the Office of the Attorney General for the State of Oregon:** In accordance with Standing Orders 2017-12 and 2018-5, the Court directs the Clerk to electronically file and serve a copy of this Order, Petition, and a form for acknowledging receipt of the Petition and Order upon the office of the Attorney General of the State of Oregon.

- (b) **Notification to the Attorney General's Office:** The Court directs the Clerk to add Assistant Attorney General Kristen Boyd to the docket to effect electronic service as set forth in subsection (a) of this Order.
- (c) **Acknowledgment of Service:** Upon receipt of the Amended Petition and this Order, the Attorney General must file the Acknowledgment of Service with the Clerk of the Court.
- (d) **Respondent's Answer Deadline:** Not later than 60 days from receipt of the electronic transmission of this Order, Respondent will file and serve an Answer, or other pleading which complies with the provisions of Rule 5 of the *Rules Governing Section 2254 Cases in the United States District Courts*, including:
  - (1) A statement asserting whether Petitioner has exhausted all available state remedies including any post-conviction remedies available to him under the statutes or procedural rules of the state and including also his right to appeal both from the judgment of conviction and from any adverse judgment or order in the post-conviction proceeding.
  - (2) A summary of the available transcripts from all pretrial, trial, sentencing and post-conviction proceedings; a date when those transcripts can be furnished to this Court; and a summary of any proceedings which were recorded, but are not yet transcribed.
  - (3) A certified copy of the transcript of all proceedings upon which Petitioner's claim is based.
- (e) **Petitioner's Deadlines:** Not later than 60 days after the filing of Respondent's Answer (or other responsive pleading), Petitioner is authorized to file all additional papers necessary to support the § 2254 Petition.
- (f) **Under Advisement Deadline:** Unless otherwise directed by the Court, the Clerk will set the Amended Petition under advisement deadline 75 days after the filing of Respondent's Answer or other responsive pleading. All other motion under advisement deadlines will be established by separate court order.

IT IS SO ORDERED.

DATED this 13 day of June, 2019.



— STACIE F. BECKERMAN —  
United States Magistrate Judge